

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Bird River Beach Road
3864 ft. S of c/l Ebenezer Rd * ZONING COMMISSIONER
940 Bird River Beach Road
15th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
James Beaudet, et ux * Case No. 95-7-A
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 940 Bird River Beach Road in the Bird River section of Baltimore County. The Petition is filed by James Beaudet and Leona Beaudet, his wife, property owners. The matter was originally filed as an Administrative Variance and requested relief from Sections 400.3 and 101 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (proposed garage) larger than the principal building and to permit a height of 21 ft. for an existing garage in lieu of the required 15 ft.

Administrative variances may be granted without a public hearing pursuant to Section 26-127 of the Baltimore County Code. In such cases, the property shall be posted giving notice of the requested relief to interested persons and adjacent property owners. In this case, subsequent to the notice being posted, a request for public hearing was made by an adjacent property owner and the matter scheduled for public hearing, pursuant to Section 26-127(b)(2) of the Baltimore County Code.

Appearing at the hearing for this case were the property owners, James Beaudet and Leona Beaudet, his wife. They were represented by Ralph Rothwell, Esquire. Also appearing on their behalf was Emanuel Caltrider, a building contractor.

Numerous individuals appeared in opposition to the request. They included Philip and Josephine Fraley, who reside next door, Elmer and

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Date 10/17/94
By J. H. H. H.

MICROFILMED

Eleanor Yingling and Patricia Porter.

Preliminarily, counsel for the Petitioner amended the nature of the relief requested. As noted above, the Petition originally requested relief both from the height limitation imposed for an existing accessory structure by the BCZR, as well as the area limitation for a proposed accessory structure. As originally filed, the Petitioner proposed construction of an addition to an existing garage. The resultant building would be larger than the dwelling which currently occupies the site, thereby requiring a variance. In amending the Petition, the Petitioner has altered its site plan by proposing that the new construction be a separate building. In that the proposed improvements will not be connected, there will be two accessory buildings on the site, each less in area than the existing dwelling. Thus, the Petition was amended so that only variance approval of the height of the existing garage was requested, and the area variance was deleted. The proposed relief, as amended, is shown on Petitioners' Exhibit No. 2.

Mr. Caltrider testified on behalf of the Petitioner. He stated that he has contracted with the property owners to build the second garage as shown on the site plan. He also noted that the existing garage is 21 ft. in height. He has taken measurements of the structure and can confirm that dimension. This height is 6 ft. taller than the 15 ft. limitation in the BCZR. As to the proposed garage, he noted that same would be within the height limitation and would contain three bays. It is being constructed for storage purposes, to house the property owners' antique cars. As shown on the site plan, the garage will be 30 ft. by 56 ft. in dimension. The existing garage is over 20 years old.

Also testifying was the property owner, James Beaudet. He noted that his property is approximately 1.888 acres in area and is zoned R.C.2. It

is presently improved with a residential dwelling and existing 24 x 30 ft. garage. As noted above, this existing garage is 21 ft. in height and, therefore, not in compliance with the BCZR. Both the house and garage were present when he moved into the property in 1985.

Although employed by a printing company, Mr. Beaudet noted that he repairs and restores antique cars as a hobby. Presently, he owns a number of antique automobiles. It is his desire to construct the new garage to provide additional storage space for these vehicles. As to the existing garage, he notes that same is two stories in height but that it does not contain any dwelling area. The existing garage is served by electricity but there is no water and sewer. Mr. Beaudet also described the history of the property. He noted that prior to his purchase of same, the property was owned by an individual engaged in the oil business. Although it is not clear if business operations were conducted from this site, the Petitioner did testify that a number of oil drums and similar materials were on site when he purchased the property. He testified that he has cleaned up the site and does not intend to use the property or either garage for any commercial operation.

Testifying in opposition to the request was Philip Fraley, an immediate next door neighbor. He does not object so much to the height of the existing garage as to the activity on the property. He particularly objects to Mr. Beaudet's hobby and the painting of vehicles which apparently goes on at this site. He testified that the fumes generated by the painting are of great inconvenience to him and may cause health problems to his young child.

Mr. Fraley's comments were echoed by other Protestants who appeared. They are particularly concerned over the activity which has allegedly been conducted on this site.

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By

In considering the merits of the proposal before me, the nature of the relief requested need be emphasized. This case is not about the activity which occurs on the site and whether same is detrimental to the health, safety and general welfare of the locale. Rather, the limited question presented is whether the existing garage can be allowed to remain at 21 ft. in lieu of the 15 ft. requirement. The variance Petition, indeed, is quite limited and specific to that issue.

In considering that issue, I am persuaded that the Petitioner has satisfied his burden under Section 307 of the BCZR. Therein, the test for any variances are set forth. In this instance, I find the testimony persuasive that the Petitioner has established that a practical difficulty would exist if strict adherence to the height limitation were required. Moreover, I find no evidence that the height of the existing building, in and of itself, is detrimental to the surrounding locale. Lastly, I am persuaded that a grant of the relief would be consistent with the BCZR.

Notwithstanding my findings, however, Section 26-127(c) of the Baltimore County Code provides me with discretion to impose such conditions or restrictions as might be determined appropriate in the grant of any variance. In this respect, I must impose those restrictions necessary to protect the health, safety and general welfare of the surrounding locale. Under the authority of this section, I will, therefore, require that neither garage contain any dwelling or other living quarters. That is, neither garage shall be converted or used as an apartment or for residential purposes. Secondly, the property shall be utilized for only those purposes permitted under the BCZR for the R.C.2 zoning designation. That is, the property may obviously continue to be used for residential purposes but cannot be utilized for any commercial enterprise whatsoever. All activity on the property must be consistent with residential occupancy of

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By

the site. The Petitioner shall not perform restoration of automobiles for hire or operate a body shop . Activity related to the pursuit of his hobby, incidental to residential use of the property are permitted.

Also, there must be some provision regulating the Petitioner's activity so as to protect his neighbors and the surrounding vicinity. Although the Petition for variance relief is limited to the height of the existing structure, I believe that I must employ proper discretion for the protection of the health, safety and general welfare of the community. Thus, I shall order that there shall be no painting of vehicles outside of the garages or at times when the garage doors are open. I am cognizant of the Petitioner's right to pursue his hobby but also appreciative of the character of the neighborhood and the health and enjoyment of their properties by neighbors. It is hoped that this restriction will balance those interests.

Additionally, the Petitioner shall permit a representative from the Office of Zoning and Development Management on the property to verify compliance with these restrictions. Moreover, although it need not be added as a restriction, per se, but is duly noted that the Petitioner shall comply with all relevant zoning regulations of the BCZR.

Finally, although the property is not within the Chesapeake Bay Critical Area per the site plan, the Petitioner shall comply with any regulations of the Department of Environmental Protection and Resource Management (DEPRM) to the use and development of the site.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of October, 1994 that a variance from Sections 400.3

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Date

By

10/7/94
Mr. Shorah

and 101 of the Baltimore County Zoning Regulations (BCZR) to permit an existing accessory structure (garage) to be a height of 21 ft., in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structures to be converted to a second dwelling unit and/or apartment. The garages shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. The property shall be utilized for only those purposes as allowed under the BCZR for the R.C.2 zoning designation. That is, the property may continue to be used for residential purposes but cannot be utilized for any commercial enterprise whatsoever.
4. There shall be no painting of vehicles outside of the garages or at times when the garage doors are open.
5. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.
6. The property owner shall comply with any representatives of the Department of Environmental Protection and Resource Management (DEPRM) relating to the use or improvements on this site.

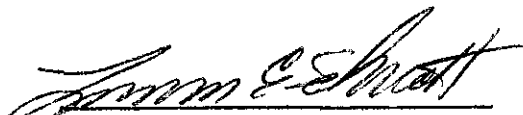
ORDER RECEIVED FOR FILING

Date

10/17/98

By

LES/mmn


LAWRENCE E. SCHMIDT

Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 5, 1994

Ralph K. Rothwell, Jr. Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: Petition for Variance
Case No. 95-7-A
James Beaudet, et ux, Petitioners
Property: 940 Bird River Beach Road

Dear Mr. Rothwell:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

cc: Mr. and Mrs. James Beaudet
Mr. and Mrs. Philip Fraley
Mr. and Mrs. Elmer Yingling
Mrs. Patricia Porter

RECEIVED





Petition for Administrative Variance

95-7-A

to the Zoning Commissioner of Baltimore County

for the property located at 940 Bird River Beach Road

which is presently zoned RC - 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 and 101 (Definition)

To permit an accessory structure (garage) larger than the principal building and to permit a height of 22 feet for an existing garage in lieu of the required 15 feet. 21

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE REVERSE SIDE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City State Zipcode

Legal Owner(s):

Mr. James Beaudet

(Type or Print Name)

Signature

Mrs. Leona Beaudet

(Type or Print Name)

Signature

940 Bird River Beach Road

Address

Phone No 410-335-6418

Baltimore Maryland 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Manny Caltrider

Name

P.O. Box 368

Address

1-800-222-9047

Phone No

New Oxford, PA 17350

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of 19 that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: *JS*

DATE: 7-11-94



Printed with Soybean Ink
on Recycled Paper

ITEM #: 10

ESTIMATED POSTING DATE:

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

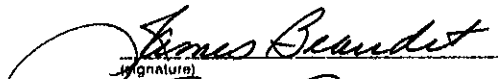
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 940 Bird River Road
address
Baltimore, Maryland 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Our request for an Administrative Variance is for addition storage space to our existing garage. We are a family of three, all working and requiring transportation to our work place. Our existing two car garage, located at the rear of our property, is inadequate housing for the number of vehicles required for transportation. We also have a boat, garden tractor and other personal items that are currently store outside. In addition, Mr. Bueaudet and his son spend their leisure time together with their hobby of collecting and restoring antique cars. Our request for the additional storage area is for security and protection from the elements for the vehicles and our personal property. Additionally, we are aware of the unsightly appearance for our neighbors of the vehicles situated in the yard and believe that housing the vehicles would only improve the esthetic of the neighborhood. For these reasons we request the Administrative Variance for the erection of the additional storage space.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


(signature)
JAMES BUEAUDET
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

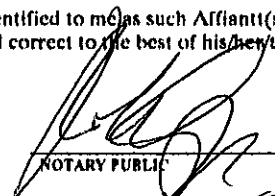
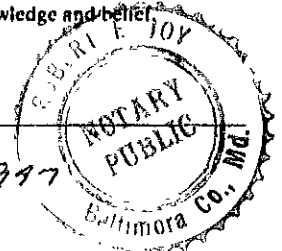
I HEREBY CERTIFY, this 11th day of July, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JAMES BUEAUDET

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7-11-1994
date


NOTARY PUBLIC
My Commission Expires: 5-1-1997


EXAMPLE 3 - Zoning Description

- 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 940 Bird River Beach Road
 (address)
 Election District 15 Councilmanic District 6

Beginning at a point on the West side of _____
 (north, south, east or west)
Bird River Beach Road which is Forty feet
 (street on which property fronts) (number of feet of right-of way width)
 wide at a distance of 3,864 feet North of the
 (number of feet) (north, south, east or west)
 centerline of the nearest improved intersecting street Ebenzer Road
 (name of street)
 which is 100 feet wide. *Being Lot # _____,
 (number of feet of right-of-way width)
 Block _____, Section # _____ in the subdivision of
 _____ as recorded in Baltimore County Plat
 (name of subdivision)
 Book # Plat Book W.P.C 8 Folio # 676, containing
81,897 square feet 1.88 acres.
 (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

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95-7-A

Zoning Description

ZONING DESCRIPTION FOR 940 Bird River Beach Road

(address)

Election District 15

Councilmanic District 6

As recorded in Deed Liber 958, Folio 676

Beginning at the point on the Westernmost side of Crook Road which is forty feet wide as laid out on the Plat of Bird River Beach at the distance of 303.6 feet South 15 degrees 42 minutes East from the beginning of South 15 degrees 15 minutes East 486.72 feet the four following courses and distances, viz.: South 15 degrees 42 minutes East 183.12 feet, South 6 degrees East 105.88 feet; South 34 degrees 42 minutes West 46.17 feet; and South 70 degrees 15 minutes West 182.09 feet to a stone at the beginning of the land thence binding on the first line of the aforesaid land North 19 degrees 59 minutes West 330.26 feet and thence running for a line of division now made North 74 degrees 18 minutes East 260.14 feet to the place of the beginning. Containing 1.88 acres, more or less. The improvements thereon being known as No. 940 Bird River Beach Road. The property located at a distance of ^{three}~~six~~ thousand eight hundred forty six feet ^{North}~~South~~ of the centerline of the nearest improved intersecting street Ebenzer Road which is approximately 100' wide.

RECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Town, Maryland

95-7-H

District 15th

Date of Posting 7/22/94

Posted for: Variance

Petitioner: James & Leona Beaudet

Location of property: 940 Bird River Beach Rd., w/s

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. L. Stealy

Signature

Date of return: 7/29/94

Number of Signs: 1

RECEIVED
JUL 29 1994

95-7

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 9/3/94

Posted for: Variance

Petitioner: James & Leona Beaudet

Location of property: 940 Bird River Beach Rd, w/s

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by M. Stealy Date of return: 9/9/94
Signature

Number of Signs: 1

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
98-7-A (Item 10)
840 Bird River Beach Road
W/S Bird River Beach Road
3884 S of c/o Ebenezer Rd.
15th Election District
6th Councilmanic
Petitioner(s):

James Beaudet and
Leona Beaudet

HEARING: THURSDAY,
SEPTEMBER 22, 1994 at
11:00 a.m. in Rm. 118, Old
Courthouse.

Administrative Variance: to
permit an accessory structure
(garage) larger than the principal
building and to permit a
height of 21 feet for an existing
garage in lieu of the required 15
feet.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped accessible; for special
accommodations Please Call
887-3363.

(2) For Informa-
tion concerning the File and/or
Hearing, Please Call 887-3391.

8/276 August 25.

TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

~~Publication~~

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Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
95-7-A

Account: R-001-6150

Number #10

Date

7/11/94

Taken by: JRF

Beaudet -- 940 Bird River Beach Rd.

010 --- Variance \$150.00

080 --- Sign \$135.00

\$285.00

MICROFILMED

03A03#0442MICRC
BA C011:30AMD7-12-94

\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Item Number: 10
Planner: JRF
Date Filed: 7-11-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

✓

The following information is missing:

_____ Descriptions, including accurate beginning point
_____ Actual address of property
_____ Zoning
_____ Acreage
_____ Plats (need 12, only _____ submitted)
_____ 200 scale zoning map with property outlined
_____ Election district
_____ Councilmanic district
_____ BCZR section information and/or wording
_____ Hardship/practical difficulty information
_____ Owner's signature (need minimum 1 original signature) and/or
_____ printed name and/or address and/or telephone number
_____ Contract purchaser's signature (need minimum 1 original
_____ signature) and/or printed name and/or address
_____ Signature (need minimum 1 original signature) and/or
_____ printed name and/or title of person signing for legal
_____ owner/contract purchaser
_____ Power of attorney or authorization for person signing for
_____ legal owner and/or contract purchaser
_____ Attorney's signature (need minimum 1 original signature)
_____ and/or printed name and/or address and/or telephone number
_____ ✓ Notary Public's section is incomplete ~~and/or incorrect~~
_____ ~~and/or commission has expired~~ - ONLY ONE SIGNATURE
_____ NOTARIZED + SIGNED ON BACK OF FORM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 10

Petitioner: JAMES BEAUDET

Location: 940 BIRD RIVER BEACH Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES BEAUDET

ADDRESS: 940 BIRD RIVER BEACH Rd

PHONE NUMBER: (410) 335-6410

AJ:ggs

MICROFILMED

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. James Beaudet
940 Bird River Beach Road
Baltimore, Maryland 21220
335 6418

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road, 3864'S of c/l Ebenezer Road
15th Election District - 6th Councilmanic
Petitioner(s): James Beaudet and Leona Beaudet
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Administrative Variance to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Jib

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

AUG. 16 1994

(410) 887-3353

NOTICE OF HEARING

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Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road, 3864'S of c/l Ebenezer Road
15th Election District - 6th Councilmanic
Petitioner(s): James Beaudet and Leona Beaudet
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Administrative Variance to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Mr. & Mrs. James Beaudet
Manny Caltrider
Erika Greenblum, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

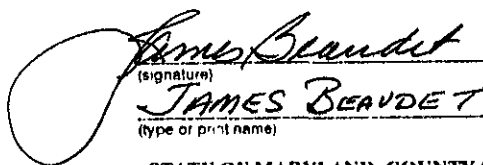
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 940 Bird River Road
address
Baltimore, Maryland 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Our request for an Administrative Variance is for addition storage space to our existing garage. We are a family of three, all working and requiring transportation to our work place. Our existing two car garage, located at the rear of our property, is inadequate housing for the number of vehicles required for transportation. We also have a boat, garden tractor and other personal items that are currently store outside. In addition, Mr. Bueaudet and his son spend their leisure time together with their hobby of collecting and restoring antique cars. Our request for the additional storage area is for security and protection from the elements for the vehicles and our personal property. Additionally, we are aware of the unsightly appearance for our neighbors of the vehicles situated in the yard and believe that housing the vehicles would only improve the esthetic of the neighborhood. For these reasons we request the Administrative Variance for the erection of the additional storage space.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


(signature)
JAMES BUAUDET
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of July, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JAMES BUAUDET

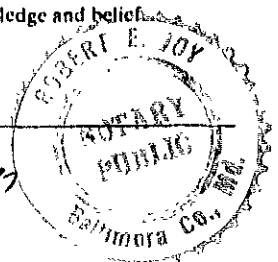
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7-11-1994
date

NOTARY PUBLIC

My Commission Expires: 5-1-1997



MICROFILMED



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at

940 Bird River Beach Road

which is presently zoned RC - 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.3 and 101 (Definition)
To permit an accessory structure (garage) larger than the principal building and to permit a height of 22 feet for an existing garage in lieu of the required 15 feet.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

See Reverse Side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s):

(Type or Print Name)

Mr. James Beaudet
(Type or Print Name)

Signature

Signature

work 766-2000

Address

Mrs. Leona Beaudet
(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner.

(Type or Print Name)

940 Bird River Beach Road
Address Phone No. 410-335-6418

Baltimore Maryland 21220

City State Zipcode
Name, Address and phone number of representative to be contacted

Address

Phone No.

Manny Caltrider
Name

City

State

Zipcode

P.O. Box 368
Address Phone No. 1-800-222-9047

New Oxford, PA 17350

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of 1974, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JF

DATE: 7-11-74



Printed with Soybean Ink
on Recycled Paper

ITEM #: 10

ESTIMATED POSTING DATE:

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

August 2, 1994

(410) 887-3353

Mr. & Mrs. James Beaudet
940 Bird River Beach Road
Baltimore, MD 21220

RE: Item No. 10, Case No. 95-7-A
Petitioner: James Beaudet, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Beaudet:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 11, 1994, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

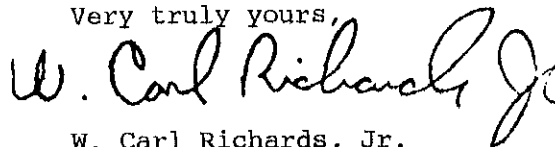
- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr." The signature is written in dark ink and is positioned above the printed name and title.

W. Carl Richards, Jr.
Zoning Coordinator

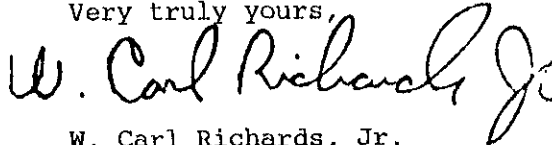
WCR:jw

Enclosures

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Very truly yours,



W. Carl Richards, Jr.
Zoning Coordinator

WCR:jw

Enclosures

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 7, 9, 10, 12 AND 13.

RECEIVED

JUL 28 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Archival Copy
Baltimore County
Baltimore County





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

7-20-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: ~~X10~~ (JRF)
CASE NO. 95-7-A

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

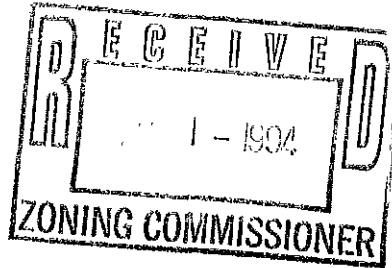
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 26, 1994

SUBJECT: 940 Bird River Beach Road



INFORMATION:

Item Number: 10

Petitioner: Beaudet Property

Property Size: _____

Zoning: R.C. 2

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, use of the garage should be limited to storage and the parking of vehicles.

Prepared by: Jeffrey N. Long

Division Chief: Carol L. Kerns

PK/JL:lw

MICROFILMED

AUG. 8 '94

File

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 11, 1994

Mr. & Mrs. James Beaudet
940 Bird River Beach Road
Baltimore, Md 21220

RE: Case No. 10, Item No. 95-7-A
James Beaudet, et ux
Petition for Administration
Variance

Dear Mr. & Mrs. Beaudet :

Enclosed are copies of comments received from the Office of
Planning and Zoning on August 11, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

Julie A. Winiarski
Julie A. Winiarski
Office Assistant

Enclosure

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 26, 1994

SUBJECT: 940 Bird River Beach Road

INFORMATION:

Item Number: 10
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SUMMARY OF RECOMMENDATIONS:

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Prepared by:

Division Chief:

PK/JL:lw

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

August 12, 1994

(410) 887-4386

Erika Greenblum, Esquire
1402 Front Avenue
Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Bird River Beach Road, 3,864' N of the c/l of Ebenezer Road
(940 Bird River Beach Road)
15th Election District - 6th Councilmanic District
James Beaudet, et ux - Petitioners
Case No. 95-7-A

Dear Ms. Greenblum:

This office is in receipt of your letter dated August 2, 1994 concerning the above-captioned matter. In view of the concerns raised in your letter, it appears that a public hearing should be held to determine the appropriateness of the relief requested and to allow both parties an opportunity to address any other issues.

Therefore, by copy of this letter to Gwendolyn Stephens, Docket Clerk, in the Zoning Administration and Development Management (ZADM) office, I am hereby requesting that this matter be scheduled for a public hearing at the earliest possible date. You and the property owners will be notified in writing of the scheduled hearing date and time.

Meanwhile, should you have any questions concerning scheduling of this hearing, please contact Ms. Stephens at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. James Beaudet
940 Bird River Beach Road, Baltimore, Md. 21220

Mr. Manny Caltrider
P.O. Box 368, New Oxford, Pa. 17350

Gwendolyn Stephens, ZADM; People's Counsel; Case File ✓

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 22, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: James and Leona Beaudet
940 Bird River Beach Road
Baltimore, Maryland 21220

Re: CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road, 3864'S of c/l Ebenezer Road
15th Election District - 6th Councilmanic
Petitioner(s): James Beaudet and Leona Beaudet

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before July 24, 1994. The closing date (August 8, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Manny Caltrider
Councilman Gardina, M.S. 2201

RECEIVED
JUL 27 1994



[Faint handwritten notes at the bottom of the page]

NAME	ADDRESS
Edna Kuehn	1402 Front Ave. Luttrell, Mo.
Philip Fraley	946 Bird River Beach Rd.
Josephine J. Fraley	946 Bird River Beach Rd.
Lena Benson	2507 W. Woodwell Rd.
Arthur M. Porter	6522 Blackhead Rd. BAYO Mo 21220
Elmer Youngling	6533 Blackhead Rd. 21220
Dorothy L. Fischele	6526 Blackhead Rd. 21220
Bernice Winkler	6636 Blackhead Rd. 21220
Mary Barbuloo	6612 Blackhead Rd. 21220
Eleanor Youngling	6533 Black Head Rd. 21220
Evelyn V. Garton	6542 " " "
Carl M. Garton, Jr.	" " "
Frederick M. Reinhardt	6613 Pleasant Rd. 21220
William H. Seaby Sr.	6632 Blackhead Rd. 21220

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Ralph D. Howell

2508 Eos Lane Ave. Belmont

James L. Beaudet

940 Bird River Beach Rd

LEON BEAUDET

940 BIRD RIVER BEACH RD

EMANUEL CALTRIDER

1270 WILLIAM ST HANOVER PA



Printed with Soybean Ink
on Recycled Paper

NOV 1998 9:11 AM

Akman & Associates, P.C.
LAW OFFICES

Bryan J. Akman - MD
Robert S. Shreve - MD & PA
Steven D. Cox - MD

Creighton, Circa 1832
1402 Front Avenue
Lutherville, Maryland 21093
(410) 337-9400
FAX: (410) 321-0848

951 Penn Avenue
Fourth Floor
Pittsburgh, Pa. 15222-3808
(412) 281-3588
FAX: (412) 281-2252

1325 Mt. Hermon Road
Suite 13B
Beaglin Park Plaza
Salisbury, Maryland 21801
(410) 749-6118
FAX: (410) 749-0509

Robert H. Schultz - MD & DC
Laura Dawn Haber - PA
F. Lee Elrick - MD
Erika Greenblum - MD & DC
Rosalind Maron Ross - PA
William C. Stanislaw - PA
Kenneth Paul Montgomery - MD & DC
Lloyd E. Wilson, II - PA
Jill L. DeStefano - PA
Susan J. Land - MD

In Md. Not Local, Toll Free:
1-800-492-4750
Outside Md:
1-800-638-7700

In Pa. Not Local, Toll Free:
1-800-982-4078
Outside Pa:
1-800-468-0365

38 West Scribner Ave.
DuBois, Pa. 15801
(814) 375-2259
FAX: (814) 375-4178

BRANCH OFFICES:

WASHINGTON, D.C.

MARYLAND
Cumberland
Bel Air
Severna Park
Baltimore
Frederick

PENNSYLVANIA
Greensburg
Washington
Johnstown
Butler
Oil City

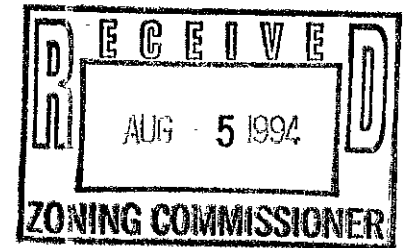
MASSACHUSETTS
Malden
Braintree
Springfield

August 2, 1994

Reply to Lutherville

VIA FAX 887-3468

Hon. Larry Schmidt, Commissioner
Zoning Commission
Room 112, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204



Re: Case No. 957A
Property at 940 Bird River Beach Road
Baltimore, Maryland 21220

Dear Commissioner Schmidt:

I understand that there has been an application for a variance to enlarge a building in the above named property and that an administrative disposition of this matter will take place this Monday, August 8, 1994.

An undisclosed client of mine (who fears retaliation) has informed me that this property has been and is being used as a commercial enterprise for the purpose of spray painting vehicles. My client's son is being adversely affected due to a serious medical condition.

I would appreciate it if you would take the appropriate measures in this matter. I will be glad to furnish additional information. Thank you very much.

Sincerely,

A handwritten signature in cursive script, appearing to read "Erika Greenblum".

ERIKA GREENBLUM
EG/oeh
eg/com

RECORDED

Akman & Associates, P.C.
LAW OFFICES

Bryan J. Akman - MD
Robert S. Shreve - MD & PA
Steven D. Cox - MD

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WASHINGTON, D.C.

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Bel Air

Severna Park

Baltimore

Frederick

PENNSYLVANIA

Greensburg

Washington

Johnstown

Butler

Oil City

MASSACHUSETTS

Malden

Braintree

Springfield

August 2, 1994

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ERIKA GREENBLUM
EG/oeH
eg/com

Akman & Associates, P.C.
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DuBois, Pa. 15801
(814) 375-2259
FAX: (814) 375-4178

FAX TRANSMITTAL SHEET

Date

8/2/94

BRANCH OFFICES:

WASHINGTON, D.C.

MARYLAND

Cumberland

Bel Air

Severna Park

Baltimore

Frederick

PENNSYLVANIA

Greensburg

Washington

Johnstown

Butler

Oil City

MASSACHUSETTS

Malden

Braintree

Springfield

Please Deliver the following Document(s) to:

Name:

Comm. L. Schmidt

From:

E. Greenblum

Number of pages including this page:

2

Our telecopier number is: (410) 321-0848

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEMS WITH
RECEIVING, PLEASE CALL (410) 337-9400.

Comments:

CONFIDENTIALITY NOTICE

This facsimile transmission contains confidential information belonging to the sender, which may be legally privileged information, the information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or an employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the facsimile documents is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the original facsimile documents to us.

9/22

MASLAN, MASLAN AND ROTHWELL, P.A.

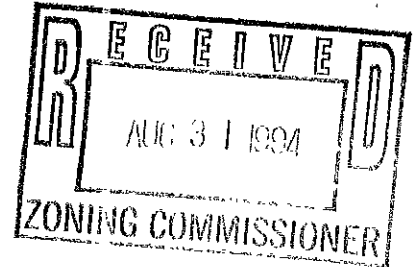
ATTORNEYS AT LAW
7508 EASTERN AVENUE
BALTIMORE, MARYLAND 21224
TEL: (410) 282-2700
FAX: (410) 282-3336

GARY R. MASLAN
RALPH K. ROTHWELL, JR.

OF COUNSEL
M. MICHAEL MASLAN

August 29, 1994

Lawrence Schmidt, Zoning Commissioner
Baltimore County Zoning Office
111 West Chesapeake Avenue
Towson, Maryland 21204



Re: Case No. 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road,
3864'S c/l Ebenezer Road
Petitioner: James & Leona Beaudet
Hearing: 9/22/94 at 11:00 a.m.

Dear Mr. Schmidt:

Please enter my appearance in the above captioned matter on behalf of the Petitioners. Please forward any future notices or correspondence directly to my office.

I thank you for your attention.

Very truly yours,

Ralph K. Rothwell, Jr.

RKR/rf

cc: James & Leona Beaudet
Arnold Jablon, Director
Erika Greenblum, Esquire

MICROFILMED

8/30/94
7068
4333-94

MASLAN, MASLAN AND ROTHWELL, P.A.

ATTORNEYS AT LAW
7508 EASTERN AVENUE
BALTIMORE, MARYLAND 21224
TEL: (410) 282-2700
FAX: (410) 282-3336

GARY R. MASLAN
RALPH K. ROTHWELL, JR.

OF COUNSEL
M. MICHAEL MASLAN

August 29, 1994

Lawrence Schmidt, Zoning Commissioner
Baltimore County Zoning Office
111 West Chesapeake Avenue
Towson, Maryland 21204

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Ralph K. Rothwell, Jr.

RKR/rf

cc: James & Leona Beaudet
Arnold Jablon, Director
Erika Greenblum, Esquire

RECEIVED

AUG 30 1994

ZADM

DRS. BRENNER & MITNICK, P.A.
ARNOLD BRENNER, M.D. ALAN H. MITNICK, M.D.
Pediatrics and Adolescent Medicine
8622 Liberty Plaza Mall
Randallstown, Maryland 21133
Telephone: (301) 922-1133

9/5/94

Philip Fraley has been under
my care.

He has a chemical sensitivity
to paint fumes, reacting with
symptoms headache, depression
with Borkman, migraines -
disruptive problem.

MB

MICROFILMED

PROTESTANT'S
EXHIBIT NO. 2

1D
only

Sept. 14, 1994

We have been at 946 Bird River
Beach Road - Mr. & Mrs. Phil Araluy on
several occasions, when there were
auto paint fumes coming from the
large garage next door from the
Araluy residence. Mr & Mrs. Chris Pugh
688-6060

**PROTESTANT'S
EXHIBIT NO. 3**

MICROFILMED

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

mfr

STATE DEPARTMENT OF
ASSESSMENT & TAXATION
KAO 7/17/85

This Deed, MADE THIS 12th day of July

in the year one thousand nine hundred and eighty-five by and between

JAY STOCKTON and MARY STOCKTON, his wife, Grantors and parties

of the first part, and

JAMES BEAUDET and LEONA BEAUDET, his wife, Grantees and parties

of the second part.

WITNESSETH, That in consideration of the sum of One Hundred Seven Thousand and 00/100ths (\$107,000.00) Dollars, which amount is the actual amount of consideration paid or to be paid for the within conveyance and includes the amount of any mortgage or deed of trust to be assumed by the Grantee and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said JAY STOCKTON and MARY STOCKTON, his wife

do grant and convey to the said JAMES BEAUDET and LEONA BEAUDET, his wife as Tenants by the Entireties and not as Tenants in Common, their assigns, the survivor of them and the survivor's

B RC/F 14.00
B T IX 135.00
B DOCS 135.00

personal representatives/successors and assigns forever, in fee simple

0 #
EIN JR T 1094.00

that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

BEGINNING for the same on the Westernmost side of Crook Road forty feet wide as laid out on the Plat of Bird River Beach, said plat being recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8, folio 3, said place of beginning being at the distance of three hundred three and six-tenths feet South 15 degrees 42 minutes East from the beginning of the South 15 degree 15 minute East four hundred eighty-six and seventy-two one-hundredths feet line of the land which by a deed dated January 15, 1935, and recorded among the Land Records of Baltimore County in Liber C.W.B., JR. No. 951, folio 161, was conveyed by Raymond F. Porter to George N. Porter and wife and running thence from the aforesaid place of beginning and binding on the Westernmost side of the aforesaid Crook Road and on the outlines of the aforesaid land the four following courses and distances, viz.: South 15 degrees 42 minutes East one hundred eighty-three and twelve one-hundredths feet, South 6 degrees East one hundred five and eighty-eight one-hundredths feet; South 34 degrees 42 minutes West forty-six and seventeen one-hundredths feet; and South 70 degrees 15 minutes West one hundred eighty-two and nine one-hundredths feet to a stone at the beginning of the land conveyed as aforesaid by Raymond F. Porter to George N. Porter and wife, thence binding on the first line of the aforesaid land North 19 degrees 59 minutes West three hundred thirty and twenty-six one-hundredths feet and thence running for a line of division now made North 74 degrees 18 minutes East 200 and fourteen one-hundredths feet to the place of beginning. Containing 1.88 acres, more or less. The improvements thereon being known as No. 940 Bird River Beach Road.

Being the same lot of ground which by deed dated August 1, 1960 and recorded among the Land Records of Baltimore County, Maryland in Liber W.J.R. No. 3742, folio 495, was granted and conveyed by Elva G. Young unto Jay Stockton and Mary Stockton his wife, the Grantors herein.

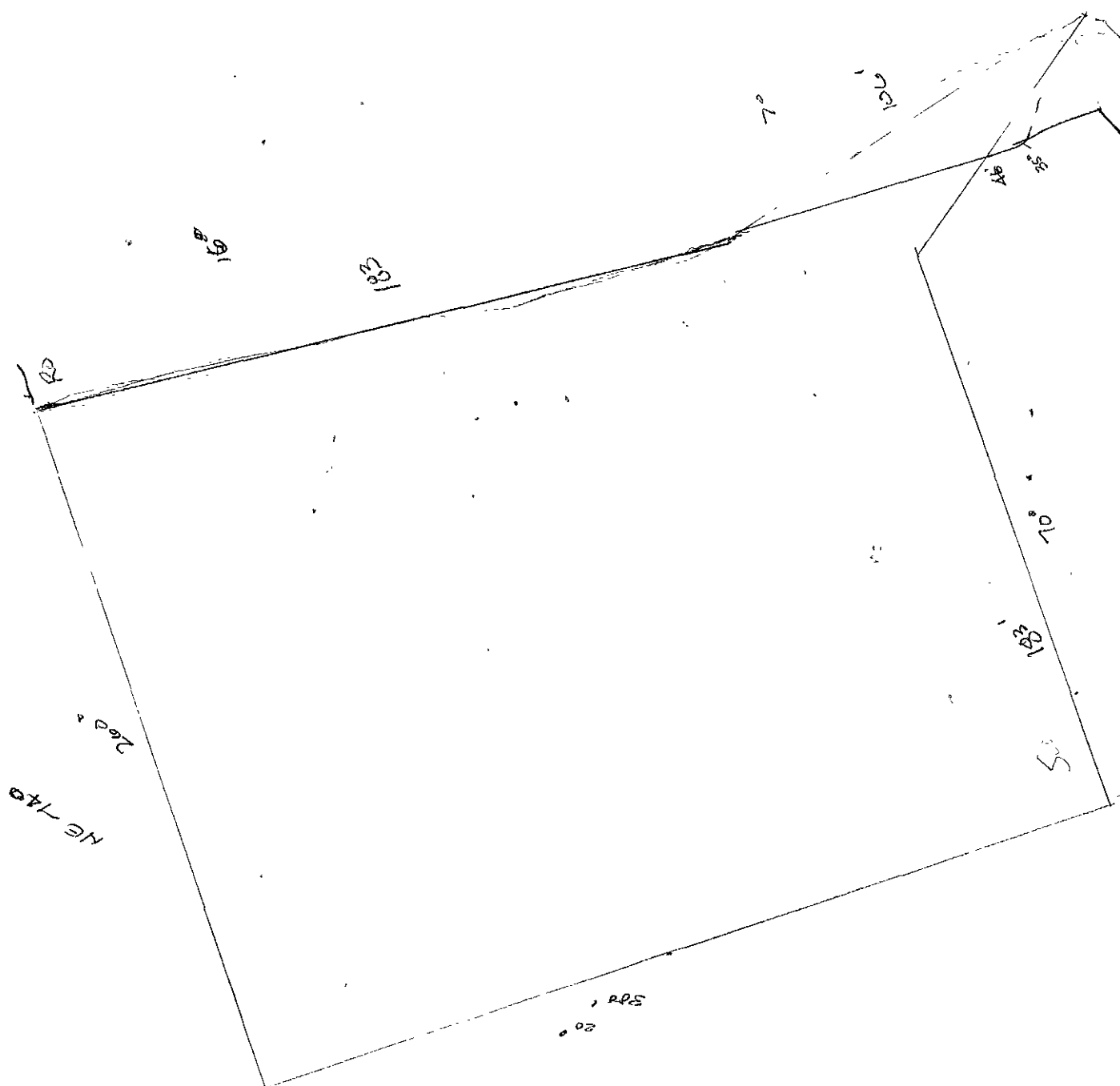
B

B 322****171286

S 15° 42min E 183.12
S 6° E 105.82
S 34° 42min W 46.17
S 70° 15min W 182.09

N 19° 59min W 330.26
N 74° 18min E 260.14

PETITIONER'S
EXHIBIT No 3



Administrative Variance to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

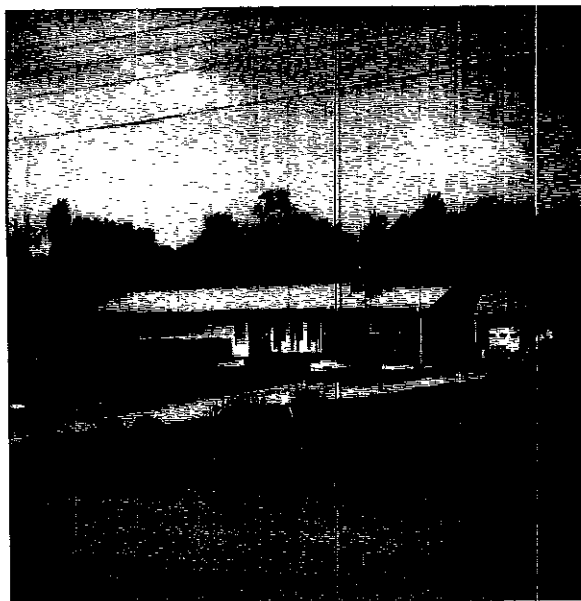
Case Number:
95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road
3864' S of c/l Ebenezer Rd.
15th Election District
6th Councilmanic
Petitioner(s):
James Beaudet and
Leona Beaudet
HEARING: THURSDAY,
SEPTEMBER 22, 1994 at
11:00 a.m. in Rm. 118, Old
Courthouse.

PETITIONER'S
EXHIBIT No 45

We undersigned neighbors have no complaint on the above variance:

- | | | |
|---------------------|--------------------------|-------|
| ① Walter G. Clark | 955 Bird River Beach Rd | 21220 |
| ② William L. Lunn | 6600 Black Head Rd | 21220 |
| ③ J. M. C. Anderson | 6545 Crooks Rd. | 21220 |
| ④ Otis F. Grande | 966 Bird River Beach Rd. | 21220 |
| ⑤ Joe Kraus | 972 Bird River Beach Rd. | 21220 |
| ⑥ Edna Maciejczyk | 6607 Pheasant Rd | 21220 |
| ⑦ Margaret Brenner | 6608 Pheasant Rd. | 21220 |
| ⑧ Fred Connolly | 6615 Pheasant Rd | 21220 |
| ⑨ Barry Mitchell | 6620 Pheasant Rd | 21220 |
| ⑩ Clara Potorski | 6712 Mallard Rd. | 21220 |
| ⑪ Emma Lee Bloyer | 6726 Mallard Rd | 21220 |
| ⑫ Lucy K. Blyer | 6726 Mallard Rd | 21220 |
| ⑬ Charles K. Blyer | 6733 Mallard Rd | 21220 |
| ⑭ Ronald Lee Dahl | 6727 Mallard Rd | 21220 |
| ⑮ Bob K. Blyer | 6727 Mallard Rd | 21220 |
| ⑯ Nancy Schmeck | 6710 Mallard Rd | 21220 |
| ⑰ May Emge | 6700 Mallard Rd | 21220 |
| ⑱ Vernon M. M. M. | 6626 Black Head Rd | |
| ⑲ Richard M. M. | 6624 Black Head Rd | |

- (20) Paula Fickety 6618 Black Head Rd 21220
 (21) Dennis T. Henry 6609 Black Head Rd 21220
 (22) Paul Krohn 6608 Black Head Rd 21220
 (23) Richard Lane 6606 Blackhead Rd 21220
 (24) Armand + Barbara St. Croix 6548 Blackhead Rd 21220
 (25) Lawrence Kraus 6546 Blackhead Rd - 21220
 (26) Philip G. DiPietro 6534 BLACKHEAD RD. 21220
 (27) Paul Myers 6530 BLACKHEAD RD. 21220
 (28) Pat McPietro 6534 BLACKHEAD RD 21220
 (29) Dorothy L. Tischler 65-26 Blackhead Rd. 21220
 (30) C. Robert McLean 6521 Blackhead Rd. 21220
 (31) Rolanda E. McLean 6521 Blackhead Rd 21220
 (32) William J Woods 6519 Blackhead Rd 21220
 (33) Carol Ellwood 6516 Blackhead Rd. 21220
 (34) Henry Mamberge 6512 Blackhead Rd 21220
 (35) Kathy Dennis Bayne 945 Bird River Beach Rd 21220.
 (36) Arthur Stumpf
 (37) Todd Coppell 6718 MALLARD RD 21220
 (38) Chris Rode 6702 Mallard Rd. Balto. Md. 21220
 (39) Rick Lerrak 6702 Mallard Rd Balto 21220
 (40) DAVID HELMEK 6611 BLACKHEAD RD. BALTO 21220
 (41) Elmer Giveling 6533 Blackhead Rd Balt 21220
 (42) James Pundarik 6518 BLACKHEAD Rd BALT 21220
 (43) Earl Steiner 6708 MALLARD RD
 (44)



FRONT OF HOUSE FROM BIRD RIVER BEACH RD

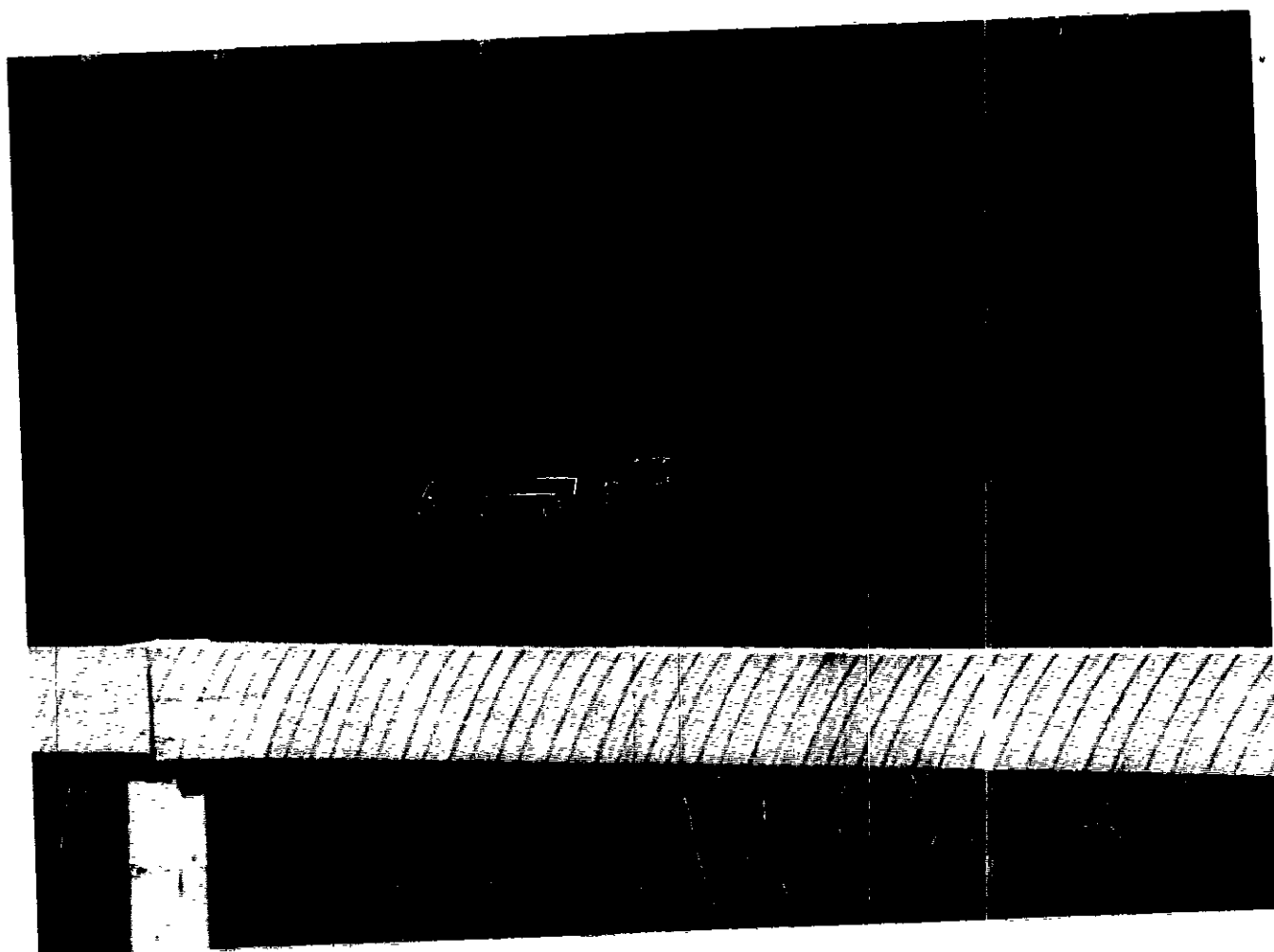


PETITIONER'S
EXHIBIT 4A

#10

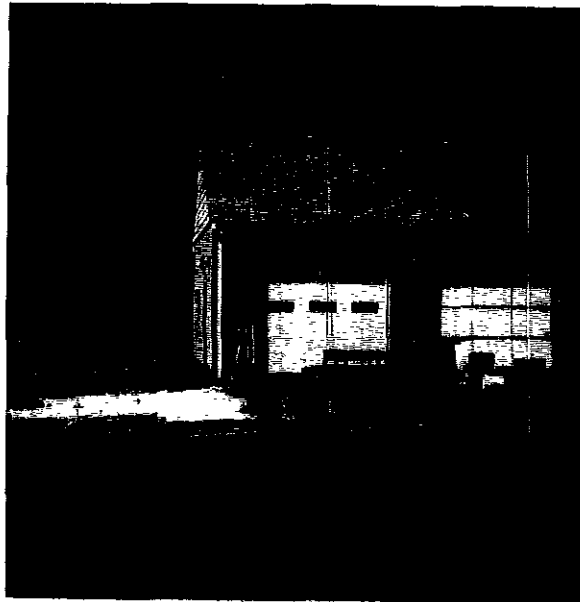
END OF HOUSE FROM BIRD RIVER BEACH RD

MICROFILMED





EXISTING GARAGE & PROPOSED LOCATION OF THE ADDITION



PETITIONER'S
EXHIBIT 4B

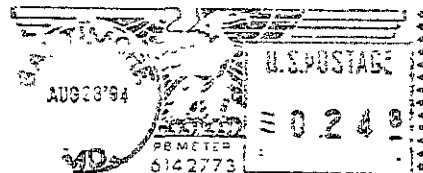
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MICROFILMED



Baltimore County Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

POSTAGE
PAID
1087 CLAS



95-7

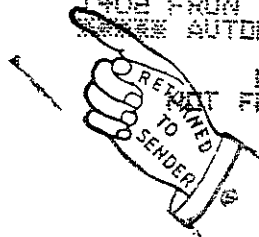
MICROFILMED

Ms. Erika Greenblum, Esq.
1402 Front Avenue
Towson, MD ~~21204~~

RECEIVED
AUG 25 1994

ZADM

1402 FRONT AVE
TOWSON, MD 21204
AUTOMATED MAIL (MUM) 00042773



NO SUCH NUMBER
FOUND - BALTIMORE MD

65

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

AUG. 16 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road, 3864'S of c/l Ebenezer Road
15th Election District - 6th Councilmanic
Petitioner(s): James Beaudet and Leona Beaudet
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Administrative Variance to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

cc: Mr. & Mrs. James Beaudet
Manny Caltrider
Erika Greenblum, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Philip Fraley has been
under my care.

He has a chemical
Sensitivity to paint fumes,
reacting with symptoms,
headaches, depression,
writing backwards, night-
mares, discipline problems.



95-7-A

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	BIRD RIVER	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	VICINITY	7-K
		MICROFILMED

DATE: July 11, 1994

JAMES & LEONA BEAUCETT

Wm. W. Cannon
Construction Man
Age 70
Married
Born 1896
Ct.
Map Ref. 10 or 15
Deno No. 15
Account

Future I : Josephine I. Frazer
 440 Elm Road
 Mar. 83 1982 1443
 Mar. Ref. 15824 1504550230
 Deed No. 15
 Account

James + Leona Ender Road
Oak Ridge Tenn 380
OAO SS L-55 1917-11-3030
DOD Reg No 15
Account

[illegible]

SCALE 0" = 20'

40' WIDE
BIRD RIVER BEACH ROAD

Wheat Creek
055 Enzo Forest Road
Map 500 Enzo Forest Road
Dado Ref No 15 1503701050
Account

Scale 1" = 1000'

100
DISTRICT
ELECTION

1"=200' SCALE MAP: N.E. 7K

Zoning: RE-2

Lot Size 1.88 81.892

REFERENCE

SECRET
Private

WATER : PRIVATE

CHESAPEAKE Bay Critical Area: No

Prior Noting Hearings: No

LIBER 6952

Folio 676

Deed Ref: 16958/674

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二
三

3300

GRID 10

...

1

10.10.14 B

Count Use: 04

Account No: 1519713030

#10

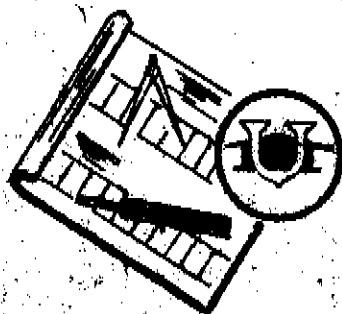
PETTIGREW'S
 EXHIBIT No 1
 MICROFILMED

MICROFILMED

JAMES & LEONA BEAUDET
940 BIRD RIVER BEACH ROAD
BALTIMORE, MARYLAND 21220

**UMBAUGH BUILDINGS
INC.**

P.O. Box 368, 3999 Christie Pike, New Oxford, Pa. 17350



USAGE RESTRICTIONS

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO BIDDERS DESIGNATED BY URSAMBAUGH BUILDING, INC. AND NO PORTION THEREOF IS SOBERLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY OTHER PERSON OR IN ANY MANNER, IS PROHIBITED. TITLE TO THE PLANS REMAINS IN THE NAME OF URSAMBAUGH BUILDING, INC. WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA-FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

UMBAUGH BUILDINGS, INC.
P.O. BOX 308, 3000 CARLISLE PIKE
NEW OXFORD, PENNSYLVANIA 17350

DRAWING NO. 1

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Bird River Beach Road * ZONING COMMISSIONER
3864 ft. S of c/l Ebenezer Rd *
940 Bird River Beach Road * OF BALTIMORE COUNTY
15th Election District *
6th Councilmanic District *
James Beaudet, et ux * Case No. 95-7-A
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 940 Bird River Beach Road in the Bird River section of Baltimore County. The Petition is filed by James Beaudet and Leona Beaudet, his wife, property owners. The matter was originally filed as an Administrative Variance and requested relief from Sections 400.3 and 101 of the Baltimore County Zoning Regulations (BCZR) to permit an accessory structure (proposed garage) larger than the principal building and to permit a height of 21 ft. for an existing garage in lieu of the required 15 ft.

Administrative variances may be granted without a public hearing pursuant to Section 26-127 of the Baltimore County Code. In such cases, the property shall be posted giving notice of the requested relief to interested persons and adjacent property owners. In this case, subsequent to the notice being posted, a request for public hearing was made by an adjacent property owner and the matter scheduled for public hearing, pursuant to Section 26-127(b)(2) of the Baltimore County Code.

Appearing at the hearing for this case were the property owners, James Beaudet and Leona Beaudet, his wife. They were represented by Ralph Rothwell, Esquire. Also appearing on their behalf was Emanuel Caltrider, a building contractor.

Numerous individuals appeared in opposition to the request. They included Philip and Josephine Fraley, who reside next door, Elmer and

Eleanor Yingling and Patricia Porter.

Preliminarily, counsel for the Petitioner amended the nature of the relief requested. As noted above, the Petition originally requested relief both from the height limitation imposed for an existing accessory structure by the BCZR, as well as the area limitation for a proposed accessory structure. As originally filed, the Petitioner proposed construction of an addition to an existing garage. The resultant building would be larger than the dwelling which currently occupies the site, thereby requiring a variance. In amending the Petition, the Petitioner has altered its site plan by proposing that the new construction be a separate building. In that the proposed improvements will not be connected, there will be two accessory buildings on the site, each less in area than the existing dwelling. Thus, the Petition was amended so that only variance approval of the height of the existing garage was requested, and the area variance was deleted. The proposed relief, as amended, is shown on Petitioners' Exhibit No. 2.

Mr. Caltrider testified on behalf of the Petitioner. He stated that he has contracted with the property owners to build the second garage as shown on the site plan. He also noted that the existing garage is 21 ft. in height. He has taken measurements of the structure and can confirm that dimension. This height is 6 ft. taller than the 15 ft. limitation in the BCZR. As to the proposed garage, he noted that same would be within the height limitation and would contain three bays. It is being constructed for storage purposes, to house the property owners' antique cars. As shown on the site plan, the garage will be 30 ft. by 56 ft. in dimension. The existing garage is over 20 years old.

Also testifying was the property owner, James Beaudet. He noted that his property is approximately 1.888 acres in area and is zoned R.C.2. It

-2-

is presently improved with a residential dwelling and existing 24 x 30 ft. garage. As noted above, this existing garage is 21 ft. in height and, therefore, not in compliance with the BCZR. Both the house and garage were present when he moved into the property in 1985.

Although employed by a printing company, Mr. Beaudet noted that he repairs and restores antique cars as a hobby. Presently, he owns a number of antique automobiles. It is his desire to construct the new garage to provide additional storage space for these vehicles. As to the existing garage, he notes that same is two stories in height but that it does not contain any dwelling area. The existing garage is served by electricity but there is no water and sewer. Mr. Beaudet also described the history of the property. He noted that prior to his purchase of same, the property was owned by an individual engaged in the oil business. Although it is not clear if business operations were conducted from this site, the Petitioner did testify that a number of oil drums and similar materials were on site when he purchased the property. He testified that he has cleaned up the site and does not intend to use the property or either garage for any commercial operation.

Testifying in opposition to the request was Philip Fraley, an immediate next door neighbor. He does not object so much to the height of the existing garage as to the activity on the property. He particularly objects to Mr. Beaudet's hobby and the painting of vehicles which apparently goes on at this site. He testified that the fumes generated by the painting are of great inconvenience to him and may cause health problems to his young child.

Mr. Fraley's comments were echoed by other Protestants who appeared. They are particularly concerned over the activity which has allegedly been conducted on this site.

-3-

In considering the merits of the proposal before me, the nature of the relief requested need be emphasized. This case is not about the activity which occurs on the site and whether same is detrimental to the health, safety and general welfare of the locale. Rather, the limited question presented is whether the existing garage can be allowed to remain at 21 ft. in lieu of the 15 ft. requirement. The variance Petition, indeed, is quite limited and specific to that issue.

In considering that issue, I am persuaded that the Petitioner has satisfied his burden under Section 307 of the BCZR. Therein, the test for any variances are set forth. In this instance, I find the testimony persuasive that the Petitioner has established that a practical difficulty would exist if strict adherence to the height limitation were required. Moreover, I find no evidence that the height of the existing building, in and of itself, is detrimental to the surrounding locale. Lastly, I am persuaded that a grant of the relief would be consistent with the BCZR.

Notwithstanding my findings, however, Section 26-127(c) of the Baltimore County Code provides me with discretion to impose such conditions or restrictions as might be determined appropriate in the grant of any variance. In this respect, I must impose those restrictions necessary to protect the health, safety and general welfare of the surrounding locale. Under the authority of this section, I will, therefore, require that neither garage contain any dwelling or other living quarters. That is, neither garage shall be converted or used as an apartment or for residential purposes. Secondly, the property shall be utilized for only those purposes permitted under the BCZR for the R.C.2 zoning designation. That is, the property may obviously continue to be used for residential purposes but cannot be utilized for any commercial enterprise whatsoever. All activity on the property must be consistent with residential occupancy of

-4-

the site. The Petitioner shall not perform restoration of automobiles for hire or operate a body shop. Activity related to the pursuit of his hobby, incidental to residential use of the property are permitted.

Also, there must be some provision regulating the Petitioner's activity so as to protect his neighbors and the surrounding vicinity. Although the Petition for variance relief is limited to the height of the existing structure, I believe that I must employ proper discretion for the protection of the health, safety and general welfare of the community. Thus, I shall order that there shall be no painting of vehicles outside of the garages or at times when the garage doors are open. I am cognizant of the Petitioner's right to pursue his hobby but also appreciative of the character of the neighborhood and the health and enjoyment of their properties by neighbors. It is hoped that this restriction will balance those interests.

Additionally, the Petitioner shall permit a representative from the Office of Zoning and Development Management on the property to verify compliance with these restrictions. Moreover, although it need not be added as a restriction, per se, but is duly noted that the Petitioner shall comply with all relevant zoning regulations of the BCZR.

Finally, although the property is not within the Chesapeake Bay Critical Area per the site plan, the Petitioner shall comply with any regulations of the Department of Environmental Protection and Resource Management (DEPRM) to the use and development of the site.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of October, 1994 that a variance from Sections 400.3

-5-

and 101 of the Baltimore County Zoning Regulations (BCZR) to permit an existing accessory structure (garage) to be a height of 21 ft., in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structures to be converted to a second dwelling unit and/or apartment. The garages shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. The property shall be utilized for only those purposes as allowed under the BCZR for the R.C.2 zoning designation. That is, the property may continue to be used for residential purposes but cannot be utilized for any commercial enterprise whatsoever.

4. There shall be no painting of vehicles outside of the garages or at times when the garage doors are open.

5. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.

6. The property owner shall comply with any representatives of the Department of Environmental Protection and Resource Management (DEPRM) relating to the use or improvements on this site.

LES:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

-6-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 5, 1994

Ralph K. Rothwell, Jr. Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: Petition for Variance
Case No. 95-7-A
James Beaudet, et ux, Petitioners
Property: 940 Bird River Beach Road

Dear Mr. Rothwell:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

cc: Mr. and Mrs. James Beaudet
Mr. and Mrs. Philip Fraley
Mr. and Mrs. Elmer Yingling
Mrs. Patricia Porter



**Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County**

for the property located at 940 Bird River Beach Road
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 and 101 (Definition) to permit an accessory structure (garage) larger than the principal building and to permit a height of 22 feet for an existing garage in lieu of the required 15 feet. 21

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See Reverse Side

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchased/Lessee	Legal Owner(s)
(Type or Print Name)	Mr. James Beaudet
Signature	<i>James Beaudet</i>
Address	Mrs. Leona Beaudet
City	<i>Leona Beaudet</i>
State	
Zip Code	
Attorney for Petitioner	
(Type or Print Name)	
Address	
City	
State	
Zip Code	
Phone No.	
Address	
City	
State	
Zip Code	
Phone No.	

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commission of Baltimore County, that the subject matter of this petition be set for a public hearing, to be held on the date and at the place specified, and that the property be posted.

REVIEWED BY *JS* DATE 7-11-94
ESTIMATED POSTING DATE
Printed with Soybean Ink on Recycled Paper
ITEM #10

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at:

Baltimore, Maryland 21220

That based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance at the above address: (specify hardship or practical difficulty)

Our request for an Administrative Variance is for addition storage space to our existing garage. We are a family of three, all working and requiring transportation to our work place. Our existing two car garage, located at the rear of our property, is inadequate housing for the number of vehicles required for transportation. We also have a boat, garden tractor and other personal items that are currently store outside. In addition, Mr. Beaudet and his son spend their leisure time together with their hobby of collecting and restoring antique cars. Our request for the additional storage area is for security and protection from the elements for the vehicles and our personal property. Additionally, we are aware of the unsightly appearance for our neighbors of the vehicles situated in the yard and believe that housing the vehicles would only improve the esthetic of the neighborhood. For these reasons we request the Administrative Variance for the erection of the additional storage space.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

James Beaudet
James Beaudet
Notary Public
My Commission Expires 5-1-94

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss:

I, JERRY E. FERTY, do hereby certify that on the 11th day of July, 1994, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared

James Beaudet

the Affiant(s) herein, personally known or satisfactorily identified to me (each Affiant(s)), and made oath in due form of law that the facts and facts herein shown are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

2-11-94

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,
A. Hemmison
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-7-A (Item 10)
840 Bird River Beach Road
W/S Bird River Beach Road
3864' S of c/l Ebenezer Rd.
15th Election District
6th Councilmanic District
Petitioner(s): James Beaudet and Leona Beaudet
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Administrative Variance: to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.

For information concerning the file and/or hearing, please call 887-3353.

8/27/94 August 26.



Baltimore County
Zoning Administration &
Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Date 7/11/94

Beaudet -- 940 Bird River Beach Rd.

010 -- Variance \$50.00

070 -- Sign \$35.00

\$85.00

Account: R0014150

Number: #10

Taken by: JRF

0340380442M1CHRC
BA C011130AM07-12-94

Please Make Checks Payable To: Baltimore County

EXAMPLE 3 - Zoning Description

- 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 940 Bird River Beach Road
(address)
Election District 15 Councilmanic District 6

Beginning at a point on the West side of (north, south, east or west)

Bird River Beach Road which is Forty feet (number of feet of right-of-way width)

wide at a distance of 3,864 feet North of the (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Ebenezer Road (name of street)

which is 100 feet wide. *Being Lot #

Block Section # in the subdivision of

(name of subdivision) as recorded in Baltimore County Plat

Book # Plat Book W.P.C. & Folio # 676, containing

87,892 square feet 1.88 acres (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 21' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

#10

7

Zoning Description

ZONING DESCRIPTION FOR 940 Bird River Beach Road

(address)

Election District 15 Councilmanic District 6

As recorded in Deed Liber 258, Folio 676

Beginning at the point on the Westernmost side of Crook Road which is forty feet wide as laid

out on the Plat of Bird River Beach at the distance of 303.6 feet South 15 degrees 42 minutes

East from the beginning of South 15 degrees 15 minutes East 486.72 feet the four following

courses and distances, viz.: South 15 degrees 42 minutes East 183.12 feet, South 6 degrees East

105.88 feet; South 34 degrees 42 minutes West 46.17 feet; and South 70 degrees 15 minutes

West 182.09 feet to a stone at the beginning of the land thence binding on the first line of the

aforesaid land North 19 degrees 59 minutes West 330.26 feet and thence running for a line of

division now made North 74 degrees 18 minutes East 260.14 feet to the place of the beginning.

Containing 1.88 acres, more or less. The improvements thereon being known as No. 940 Bird

River Beach Road. The property located at a distance of ~~one~~ ^{three} thousand eight hundred forty six feet

North of the centerline of the nearest improved intersecting street Ebenezer Road which is

approximately 100' wide.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 10

Petitioner: JAMES BEAUDET

Location: 940 Bird River Beach Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES BEAUDET

ADDRESS: 940 Bird River Beach Rd

PHONE NUMBER: (410) 335-6410

NJ:ggg

(Revised 04/09/93)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 7/22/94

Posted for: Variance

Petitioner: James Beaudet and Leona Beaudet

Location of property: 940 Bird River Beach Rd, W/S

Location of Sign: Facing road way on property being zoned

Remarks:

Posted by: J. Schmidt

Number of Signs: 1

Date of return: 7/29/94

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 7/23/94

Posted for: Variance

Petitioner: James Beaudet and Leona Beaudet

Location of property: 940 Bird River Beach Rd, W/S

Location of Sign: Facing road way on property being zoned

Remarks:

Posted by: J. Schmidt

Number of Signs: 1

Date of return: 7/28/94

TO: FUTURE PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. James Beaudet
940 Bird River Beach Road
Baltimore, Maryland 21220
335 6418

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road, 3864' S of c/l Ebenezer Road
15th Election District - 6th Councilmanic District
Petitioner(s): James Beaudet and Leona Beaudet
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Administrative Variance: to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
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Petitioner(s): James Beaudet and Leona Beaudet
HEARING: THURSDAY, SEPTEMBER 22, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Administrative Variance to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

Arnold Jablon
Director

cc: Mr. & Mrs. James Beaudet
Manny Caltrider
Erika Greenblum, Esq.

NOTES: (1) ZONING SIGN AND POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Mr. & Mrs. James Beaudet
940 Bird River Beach Road
Baltimore, MD 21220

RE: Item No. 10, Case No. 95-7-A
Petitioner: James Beaudet, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Beaudet:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 11, 1994, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

DATE: 07/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 7, 9, 10, 12 AND 13.

RECEIVED
JUL 28 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *10 (SEE)
CASE NO. 95-7-A

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
DAVID N. KATZ, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2228 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 26, 1994

SUBJECT: 940 Bird River Beach Road

INFORMATION:

Item Number: 10

Petitioner: Beaudet Property

Property Size:

Zoning: R.C. 2

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, use of the garage should be limited to storage and the parking of vehicles.

Prepared by: Jeffrey W. Long

Division Chief: Amy L. Kenna

PK/JL:lw

Mr. & Mrs. James Beaudet
940 Bird River Beach Road
Baltimore, Md 21220

RE: Case No. 10, Item No. 95-7-A
James Beaudet, et ux
Petition for Administrative
Variance

Dear Mr. & Mrs. Beaudet :

Enclosed are copies of comments received from the Office of Planning and Zoning on August 11, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Julie A. Winarski
Julie A. Winarski
Office Assistant

Enclosure

Erika Greenblum, Esquire
1402 Front Avenue
Lutherville, Maryland 21093

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Bird River Beach Road, 3,864' N of the c/l of Ebenezer Road
(940 Bird River Beach Road)
15th Election District - 6th Councilmanic District
James Beaudet, et ux - Petitioners
Case No. 95-7-A

Dear Ms. Greenblum:

This office is in receipt of your letter dated August 2, 1994 concerning the above-captioned matter. In view of the concerns raised in your letter, it appears that a public hearing should be held to determine the appropriateness of the relief requested and to allow both parties an opportunity to address any other issues.

Therefore, by copy of this letter to Gwendolyn Stephens, Docket Clerk, in the Zoning Administration and Development Management (ZADM) office, I am hereby requesting that this matter be scheduled for a public hearing at the earliest possible date. You and the property owners will be notified in writing of the scheduled hearing date and time.

Meanwhile, should you have any questions concerning scheduling of this hearing, please contact Ms. Stephens at 887-3391.

Very truly yours,

Timothy H. Kotroco
TIMOTHY H. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

cc: Mr. & Mrs. James Beaudet
940 Bird River Beach Road, Baltimore, Md. 21220

Mr. Manny Caltrider
P.O. Box 368, New Oxford, Pa. 17350

Gwendolyn Stephens, ZADM; People's Counsel; Case File

NOTICE OF CASE NUMBER ASSIGNMENT

TO: James and Leona Beaudet
940 Bird River Beach Road
Baltimore, Maryland 21220

Re: CASE NUMBER: 95-7-A (Item 10)
940 Bird River Beach Road
W/S Bird River Beach Road, 3864'S of c/l Ebenezer Road
15th Election District - 6th Councilmanic
Petitioner(s): James Beaudet and Leona Beaudet

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 24, 1994. The closing date (August 8, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

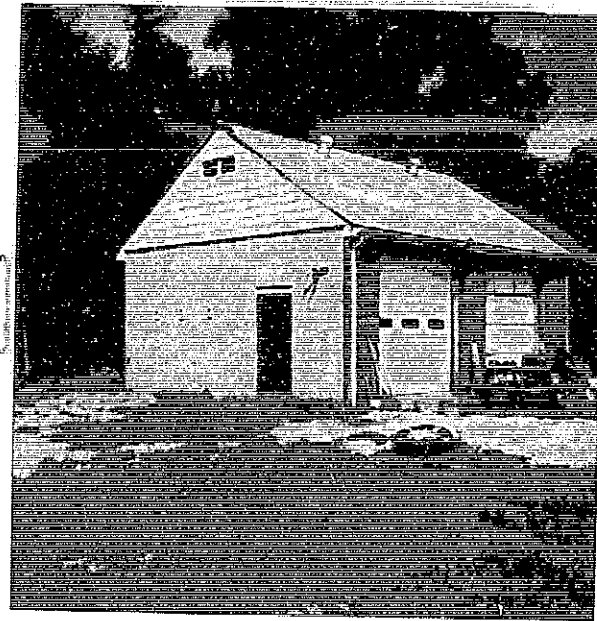
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

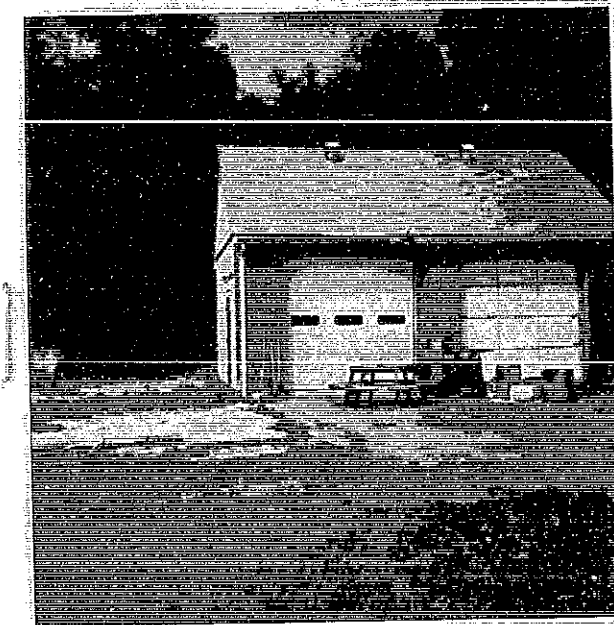
cc: Manny Caltrider
Councilman Gardina, W.S. 2201

[illegible]

95-7-A



EXISTING GARAGE & PROPOSED LOCATION OF THE ADDITION



PETITIONER'S
EXHIBIT 413

#10

95-7-A



FRONT OF HOUSE FROM BIRD RIVER BEACH RD



END OF HOUSE FROM BIRD RIVER BEACH RD

PETITIONER'S
EXHIBIT 414

#10

34

Administrative Variance to permit an accessory structure (garage) larger than the principal building and to permit a height of 21 feet for an existing garage in lieu of the required 15 feet.

Case Number:

95-7-A (Item 10)

940 Bird River Beach Road

W/S Bird River Beach Road

3864' S of c/l Ebenezer Rd.

15th Election District

6th Councilmanic

Petitioner(s):

James Beaudet and

Leona Beaudet

HEARING: THURSDAY,

SEPTEMBER 22, 1994 at

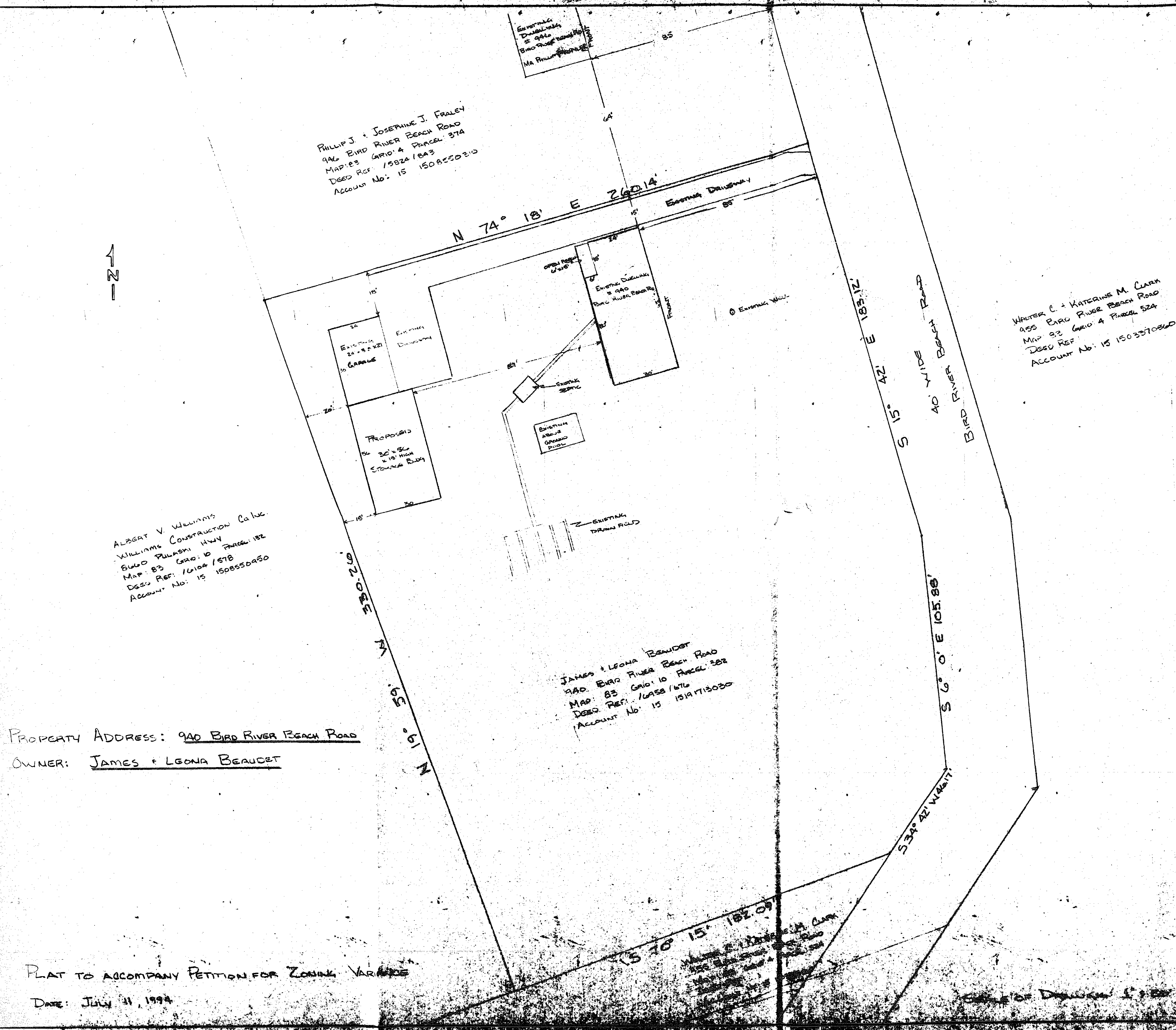
11:00 a.m. in Rm. 118, Old

Courthouse.

PETITIONER'S
EXHIBIT No 45

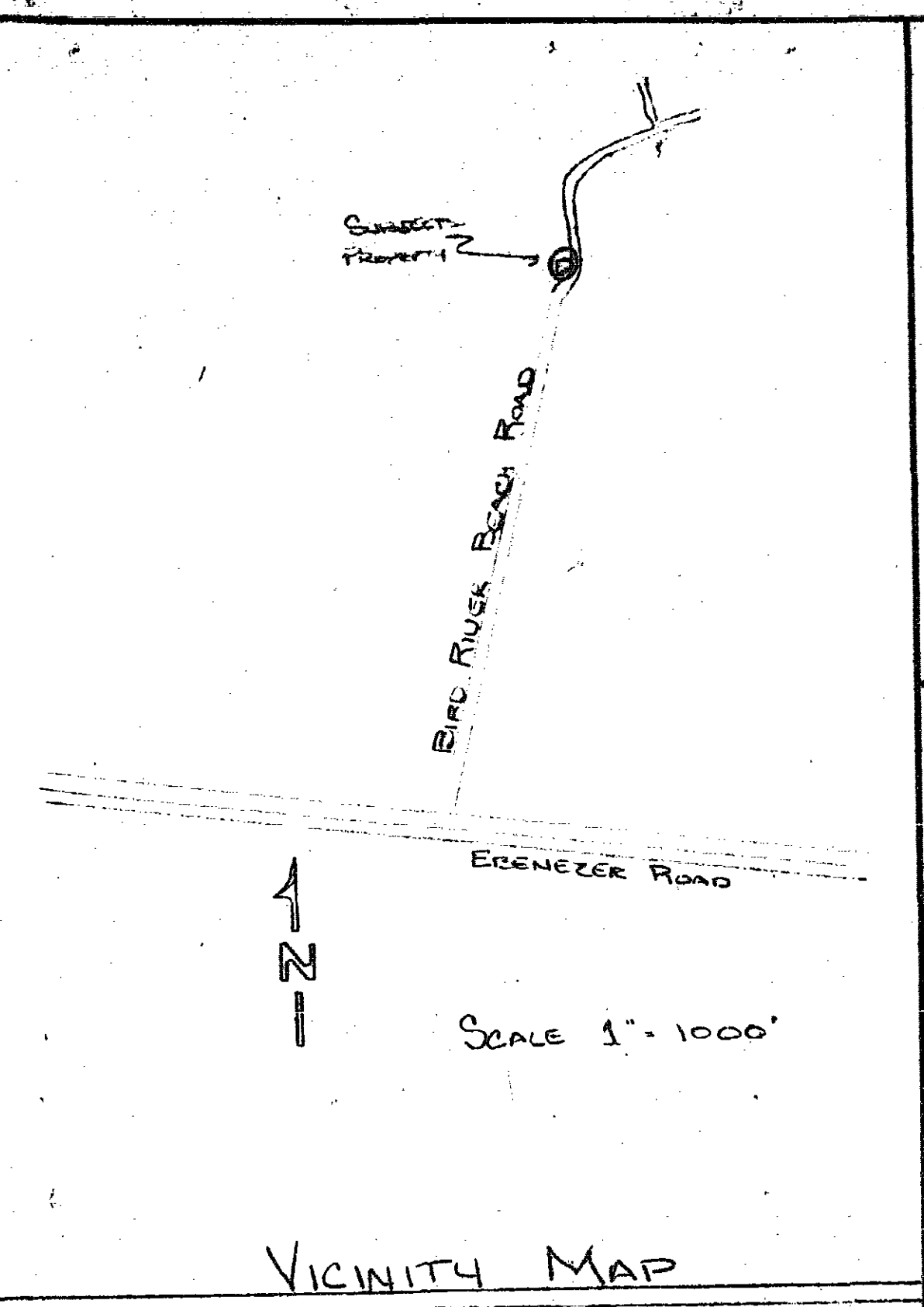
We undersigned neighbors have no complaint on the above variance:

① Walter G. Blank	955 Bird River Beach Rd	21220
② William L. Lurvey	1600 Black Head Rd	21220
③ Thompson C. Anderson	6545 Crook Rd	21220
④ Thomas F. Gorman	966 Bird River Beach Rd	21220
⑤ Joe K. Krasner	972 Bird River Beach Rd	21220
⑥ Edna Maciejczyk	6607 Pheasant Rd	21220
⑦ Margaret Gromacki	1608 Pheasant Rd	21220
⑧ Paul Connolly	6615 Pheasant Rd	21220
⑨ Barry Hutchins	4620 Pheasant Rd	21220
⑩ Clara Potorski	6712 Mallard Rd	21220
⑪ Emma Lee Bloyer	6726 Mallard Rd	21220
⑫ Lyle & Bling	6726 Mallard Rd	21220
⑬ Charles Smith	6735 Mallard Rd	21220
⑭ Robert Lee Dahl	6727 Mallard Rd	21220
⑮ John A. Hill	6720 Mallard Rd	21220
⑯ James Schmechel	6710 Mallard Rd	21220
⑰ Mary Engel	6700 Mallard Rd	21220
⑱ Victor M. M. M.	6626 Black Head Rd	21220
⑲ Richard H. H.	6624 Black Head Rd	21220



PROPERTY ADDRESS: 940 BIRD RIVER BEACH ROAD
 OWNER: JAMES + LEONA BEAUDET

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
 DATE: JULY 11, 1994



LOCATION INFORMATION
 COUNCILMANIC DISTRICT: 6
 ELECTION DISTRICT: 15
 1"=200' SCALE MAP: N.E. 7K
 ZONING: RL-2
 LOT SIZE 1.88 ACRES 81,892 SQUARE FEET
 SEWER: PRIVATE
 WATER: PRIVATE
 CHESAPEAKE BAY CRITICAL AREA: NO
 PRIOR ZONING HEARINGS: NO
 LIBER 6958
 FOLIO 676
 DEED REF: 16958/676
 PLAT REF: 813
 MAP 83
 GRID 10
 PARCEL 382
 SECTION B
 GEO CODE: 82
 LAND USE: R
 COUNTY USE: 04
 ACCOUNT NO: 1519713030

95-7-A

#10
 PETITIONER'S
 EXHIBIT No. 1

UMBAUGH BUILDINGS INC.

JAMES + LEONA BEAUDET
 940 BIRD RIVER BEACH ROAD
 BALTIMORE, MARYLAND 21220

95-7-A

DATE 7/1/94

APPROVED BY

DRAWING NO. 104

UMBAUGH BUILDINGS, INC.
 P.O. BOX 981 8909 CARLISLE PIKE
 NEW OXFORD, PENNSYLVANIA 17350



ALBERT V. WILLIAMS
WILLIAMS CONSTRUCTION CO. INC.
SUGO PULASKI HWY
MAP 83 GRID 10 PARCEL 122
DEED RE 16104 / 578
ACCOUNT NO. 15 1508550450

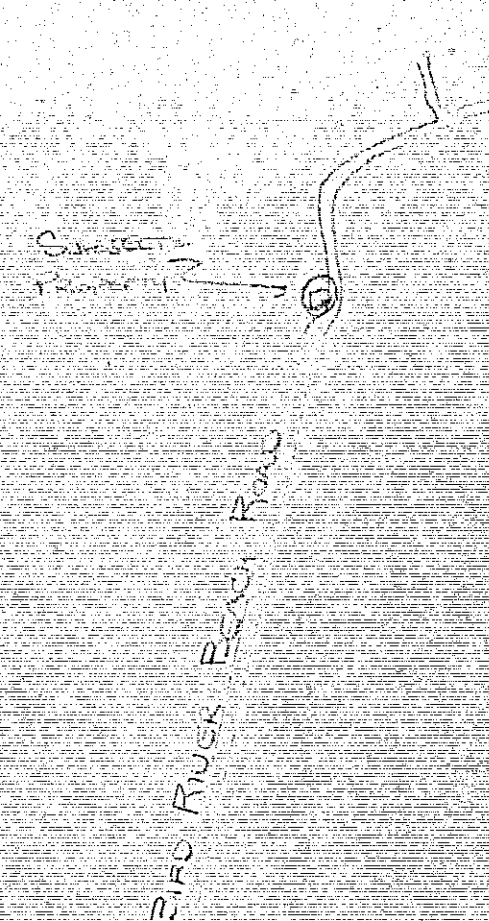
PHILIP J. JOSEPHINE J. FRILEY
946 BIRD. RIVER BEACH ROAD
MAP 23. GRID: 4 PARCEL 374
DEED REF. 15824/1A3
ACCOUNT No. 15 1508000210

EXISTING
DWELLING
946
BIRD RIDGE ROAD
MR PHILIP FRAYLER

JAMES + LEONA REQUIST
140 BIRCH RIDGE RD. # 20
Mpls. 55 500 / PGCC 282
PGCC RE- 16458 / 516
Account No 15 1514712030

WALTER C. + KATHERINE M. CURRY
955. EARD RIDGE REACH ROAD
MAP. 82 GRID. 4 PAGES. SET
DESC. REF.
ACCOUNT NO. 15 1503371-10

15' 182.07
WALTER C. * KATHERINE M. CLARK
985 BIRD RIVER EQLY ROAD
MAP 89, GRID 4 Parcel 524
DEED REC
Account No 15 1505270545



SCALE 1"=1000

VICINITY MAP

LOCATION INFORMATION

COUNCILMANIC DISTRICT 6

ELECTION DISTRICT: 15

1" = 200' SCALE MAP: N.E. 7.15

ZONING: RC-2

LOT SIZE 1.00 81.892
ACREAGE SQUARE FEET

SENIOR PRIVATE

WATER PRIVATE

CHESAPEAKE Bay CRITICAL AREA No

PRIOR ZONING HEARING: No

LIBER 6958

FOLIO 676

DEED REF: 16953/676

PLAT Ref: 213

MAP 83

GRID 10

PARCEL 382

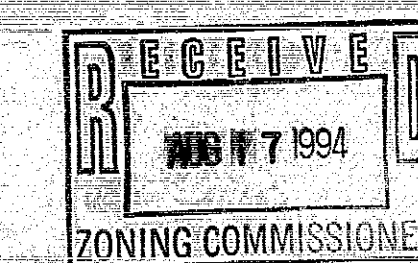
SECTION B

GEO LOVE 82

LAND USE: R

County Use: 0

ACCOUNT No: 1519713030

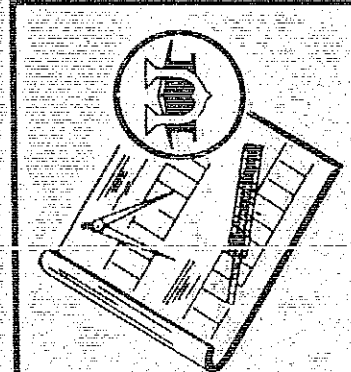


PETITIONER'S
EXHIBIT 102

USAGE RESTRICTIONS

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO SITES DESIGNATED BY UMBAUGH BUILDINGS, INC. AND ANY OTHER USE, INCLUDING ANY METHOD OF REPRODUCTION, IS PROHIBITED. THE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF UMBAUGH BUILDINGS, INC. AND ARE TO REMAIN THE TITLE TO THE PLANS REMAIN IN THE NAME OF UMBAUGH BUILDINGS, INC. WITHOUT PREJUDICE TO THE RIGHTS OF UMBAUGH BUILDINGS, INC. TO ENFORCE THE PROVISIONS OF THESE PLANS. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

**UMBAUGH BUILDINGS, INC.
P.O. BOX 368, 3999 CARLISLE PIKE
NEW OXFORD, PENNSYLVANIA 17350**



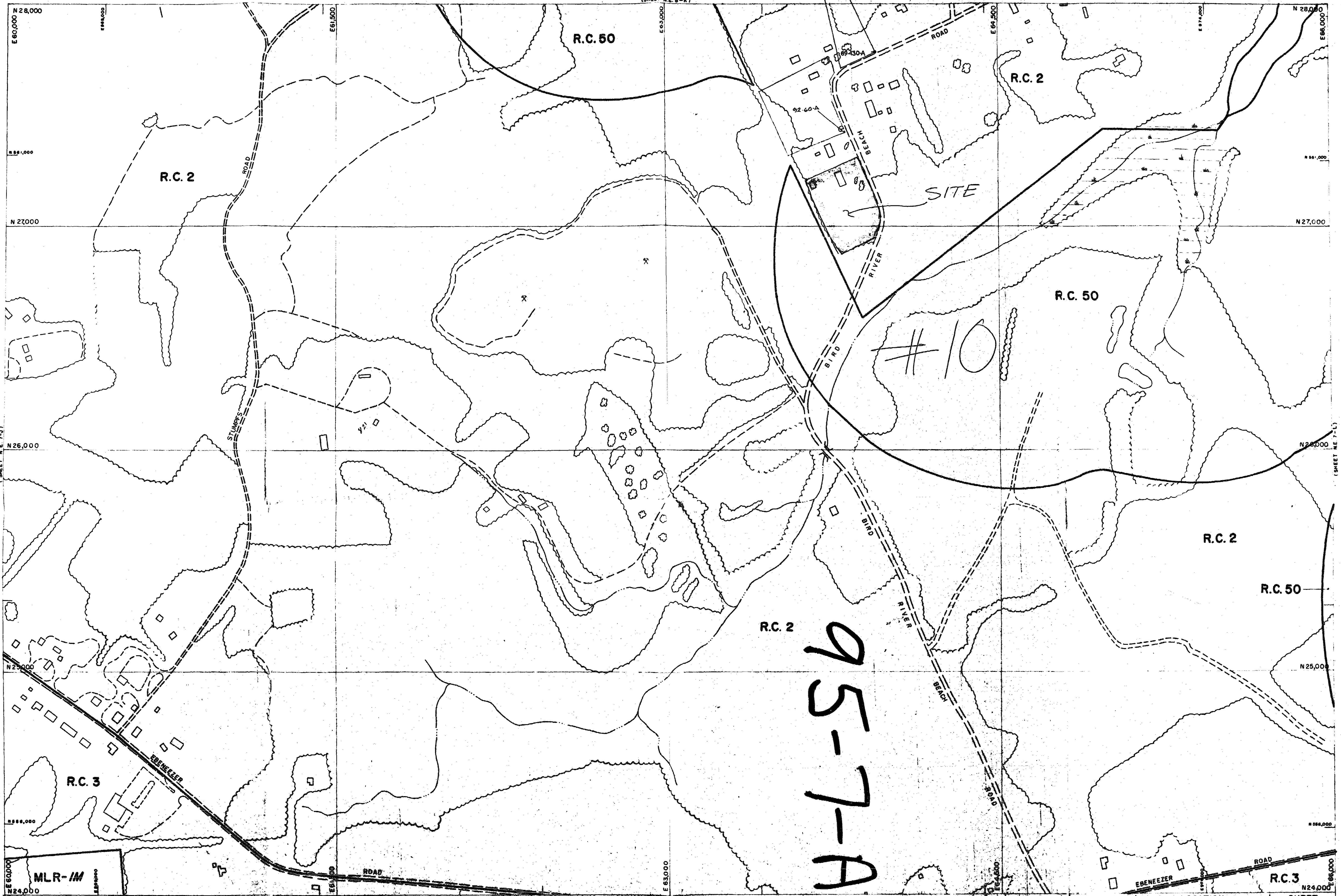
**UMBAUGH BUILDINGS
INC.**

P. O. Box 368, 2000 Carlisle Pike, New Oxford, Pa. 17350

JAMES JULIANA BOARDMAN
940 BIRD RIVER BOULEVARD
BETHESDA, MARYLAND 20820

DRAWN BY ELC
DATE 7/1/73
APPROVED BY

DRAWING NO:



M - SE MM - SW

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1992
Bill Nos. 144-89, 145-89, 146-89, 147-89, 148-89, 149-89, 150-89
[Signature]
Chairman, County Council

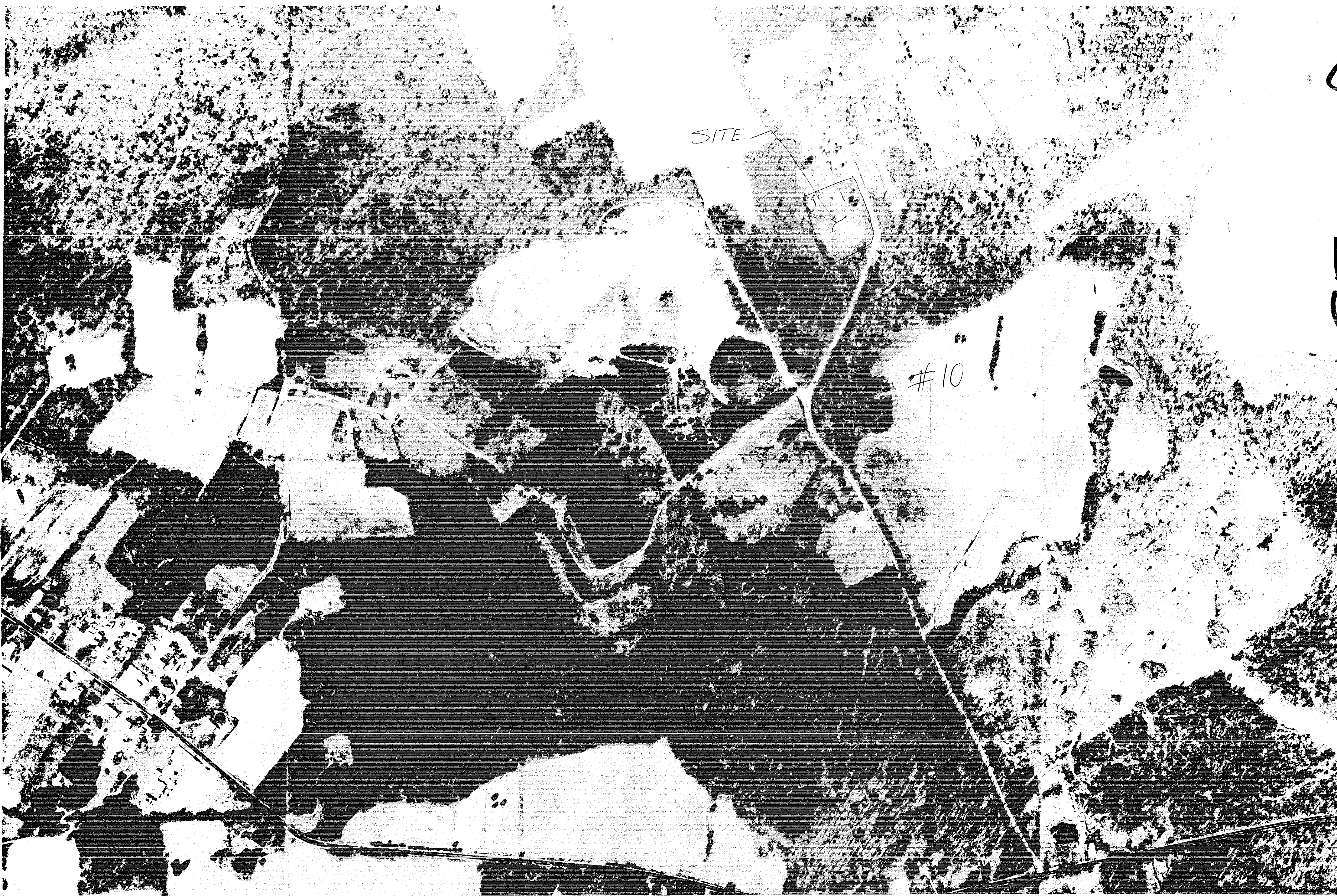
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 163-92, 164-92, 165-92, 166-92, 167-92, 168-92, 169-92, 170-92
[Signature]
Chairman, County Council

SCALE 1" = 200' ±	LOCATION BIRD RIVER VICINITY	SHEET N.E. 7-K
----------------------	------------------------------------	----------------------

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY SUCHART-HORN, INC. BALTIMORE, MD. 21210

95-7-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	BIRD RIVER	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986	VICINITY	7-K